

Call to Order:

The meeting was called to order at 7:35 p.m. Present were Chair, Joan Duff, and members Linn Anderson, Jay Doherty, Vincent Chiozzi, John McDonnell (arrived at 7:42 p.m.), and associate member Eric Macaux; also present were Paul Materazzo, Director of Planning and Jacki Byerley, Planner.

Chestnut Street:

The Board took up the discussion that was continued from the Oct. 25th meeting on the proposed re-zoning of Chestnut Street. Mr. Doherty recused himself from the discussion and left the room. Attorney Mark Johnson, representing Bill Doherty on Chestnut Street, noted that since the last meeting he sent notice to the abutters regarding the informal meeting and received a letter from Reverend Gill of The Parish of Christ Church outlining their concerns with rezoning Chestnut Street. Attorney Johnson noted that if the neighbors don't want to rezone Chestnut Street maybe this can be taken up by the Board at a later date. Attorney Johnson gave an overview of the zoning and uses of the abutting properties on Chestnut Street. Rosalyn Wood of 276 North Main St. and a member of Christ Church spoke against the rezoning of Chestnut Street and any further encroachment of the GB district. Mr. Bigelow of 21 Pine St. and a member of Christ Church reviewed a letter to the Board from Rev. Gill dated December 6, 2011 outlining their existing concerns in that area and how rezoning would affect the area. Ms. Byerley noted that the Board will be reviewing the draft Master Plan next month and as part of the Master Plan the Board will be looking at the GB district as a whole and what surrounds it. Attorney Johnson suggested the Board consider a change to allow professional offices, rather than a change to GB, which would not change the character of the street or neighborhood. He also noted that there is a lot of traffic on Chestnut Street which includes the churches and school. Linda Borland of 28 York Street asked what the perimeters of the GB district would be and expressed her concern about maintaining the character of the Town. Mr. McDonnell reviewed the uses on Chestnut St. and noted that from a planning standpoint the Board should always be looking to bring new businesses to town. Ms. Bailey of Rose Cottage on Chestnut Street expressed concern with professional office and parking lots. After the discussion Mr. Doherty returned to the meeting.

Minutes:

On a motion by Ms. Anderson seconded by Mr. Doherty the Board voted to approve the Oct. 11, 2011 minutes. **Vote:** Unanimous (5-0)

Pine Forest Park:

The Board opened the public hearings that were continued from the Oct. 25th meeting on an application by Angelo Petrosino for a proposed 11-lot Definitive Subdivision and a Special Permit for Earth Movement entitled Pine Forest Park located off Flash Road, North Reading, MA, Assessors' Map 104 Lot 3.

Joan Duff, Chair, reviewed the items that will be discussed at tonight's meeting listed in Ms. Byerley memo to the Board dated December 6, 2011.

Luke Roy of O'Neil Associates, representing the applicant, reviewed a letter to the Board dated December 5, 2011 outlining the items to be discussed. Mr. Roy discussed the applicant's

Pine Forest Park (cont.):

responses to those items. He gave an update on the Applicant's continued public hearing before the North Reading Planning Board regarding improvements to Flash Road. Mr. Roy also reviewed a report from AHA Consulting Engineers dated October 28, 2011 stating the 8th Edition of the Mass. Building Code would have no effect on the Oct. 18, 2008 fire protection feasibility study. Mr. Roy noted there has been no response to the Oct. 1, 2008 letter from the Applicant to the Town of North Reading regarding the water service.

Mr. Roy noted that they have provided the Board with cistern information and regulations from Berlin Mass.

Ms. Byerley reviewed her memo to the Board dated December 6, 2011, including a letter from the Andover Public Schools dated Oct. 21, 2011 outlining their concerns regarding busing. Ms. Byerley suggested Mr. Roy give the Board an overview of the improvements to Flash Rd. Mr. Roy gave an overview of the improvements to Flash Rd. including the 20' ROW, sidewalk, drainage, and the elimination of retaining walls. He stated that the only open item pertains to the improvements in Flash Road. Mr. Young of 10 Flash Rd. questioned where the children would be picked up and dropped off. Ms. Byerley noted that school buses do not go on private ways, and there will not be a bus route until they know the ages of the children who would live there.

Ms. Decola, of 6 Roach Circle, asked questions about tree removal and buffering between the proposed subdivision and route 125. Mr. Roy reviewed the grading sheet which outlines the tree line and limit of clearing, and noted slopes greater than 25% will not be disturbed. Ms. Byerley noted that there are no regulations on which trees can be cleared. Ms. Decola also noted that the deed holders in Flash Rd are not in favor of any improvements to Flash Road.

On a motion by Ms. Anderson seconded by Mr. Doherty the Board voted to continue the public hearings on an application by Angelo Petrosino for a proposed 11-lot Definitive Subdivision and a Special Permit for Earth Movement entitled Pine Forest Park located off Flash Road, North Reading, MA, Assessors' Map 104 Lot 3 to January 10, 2012 at 8:00 pm. **Vote:** Unanimous (5-0)

Trinity Court:

Ms. Byerley reviewed an e-mail dated Dec. 8, 2011 from Attorney Scot Gabriel, representing the Schneiders, requesting the Board continue the discussion without discussion until the Jan. 10, 2012 meeting. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue item to "Other Business" as the 1st discussion item on Jan. 10, 2012. **Vote:** Unanimous (5-0)

Executive Session:

On a motion by Ms. Anderson seconded by Mr. Doherty the Board voted to adjourn the public meeting 8:26 p.m. and voted to go into executive session to discuss litigation strategies and further moved to return to the public meeting after executive session. **Vote** Mr. Chiozzi, Ms. Anderson, Mr. Doherty, Mr. McDonnell and Mr. Macaux voting yes to enter into executive session. Unanimous (5-0); Ms. Duff recused herself from executive session and left the room.

Call to Order:

On a motion by Linn Anderson seconded by Jay Doherty the Board voted to resume the public meeting. **Vote:** Mr. Chiozzi, Ms. Anderson, Mr. Doherty, Mr. McDonnell and Mr. Macaux voting yes. (5-0); Ms. Duff returned after the vote.

139 River Road (Dunkin Donuts):

The Board opened the public hearing that was continued from the Nov. 22nd meeting on an application by Andover Dunkin Donuts, Inc. c/o Jatun Management Co., LLC, for a Special Permit for Major Non-Residential Project to renovate forty percent of the gross floor area of an existing building with a change of use on property located at 139 River Road, Assessors Map 165 Lot 1C. Ms. Byerley reviewed the applicant's letter to the Board dated December 8, 2011 requesting the hearing be continued without discussion until the second meeting in January 2012. On a motion by Ms. Anderson, seconded by Mr. McDonnell, the Board voted to continue the public hearing on an application by Andover Dunkin Donuts, Inc. c/o Jatun Management Co., LLC, for a Special Permit for Major Non-Residential Project to renovate forty percent of the gross floor area of an existing building with a change of use on property located at 139 River Road without discussion until Jan. 21, 2012 at 7:30 p.m. **Vote:** Unanimous (5-0)

Adjournment: The meeting was adjourned 9:54 p.m.